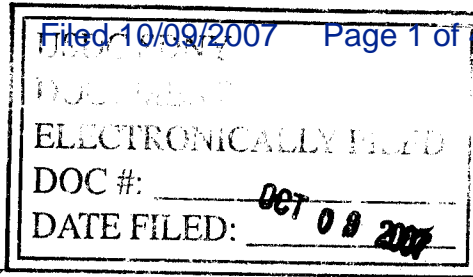


JUDGE SNAIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

:

INDICTMENT

- v. -

:

SYLVANIE PHILLIPS,

Defendant.

:

07 Cr
0:7 CRIM 942

COUNT ONE

The Grand Jury charges:

1. From at least in or about May 2005, up to in or about January 2007, in the Southern District of New York and elsewhere, SYLVANIE PHILLIPS, the defendant, unlawfully, willfully, and knowingly and with intent to defraud, as part of an offense affecting interstate commerce, did effect transactions, with access devices issued to other persons, to receive payment and a thing of value during a one-year period the aggregate value of which is equal to and greater than \$1,000, to wit, PHILLIPS did make unauthorized use of credit cards belonging to customers of her travel agency.

(Title 18, United States Code, Sections 1029(a)(5) and 2.)

COUNT TWO

The Grand Jury further charges:

2. From at least in or about May 2005, up to in or about January 2007, in the Southern District of New York and elsewhere, SYLVANIE PHILLIPS, the defendant, unlawfully,

willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in Section 1028A(c), to wit, PHILLIPS transferred, possessed and used the credit card numbers of persons who had not authorized the use of such credit card numbers as charged in Count One of the Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, SYLVANIE PHILLIPS, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud and aggravated identity theft offenses.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;


(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981, Title 28, United States Code, Section 2461, and Title 18, United States Code, Sections 1028A & 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SYLVANIE PHILLIPS,

Defendant.

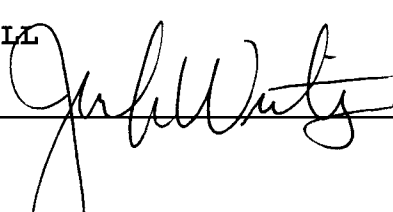
INDICTMENT

07 Cr.

(18 U.S.C. § 1029(a)(5),
18 U.S.C. § 1028A,
and 18 U.S.C. § 2)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

10/9/07 FID Ind Payt 11-1-87 This case
is assigned to Judge Swann for all
purpose.

